

Exhibit 3

ClarkWestern Dietrich Statement of Position

Board Exhibit 3

FORM NLRB-505
(4-15)

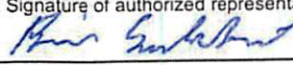
UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
STATEMENT OF POSITION

DO NOT WRITE IN THIS SPACE

Case No.
01-RC-264014

Date Filed
August 3, 2020

INSTRUCTIONS: Submit this Statement of Position to an NLRB Office in the Region in which the petition was filed and serve it and all attachments on each party named in the petition in this case such that it is received by them by the date and time specified in the notice of hearing.
Note: Non-employer parties who complete this form are NOT required to complete items 8f or 8g below or to provide a commerce questionnaire or the lists described in item 7. In RM cases, the employer is NOT required to respond to items 3, 5, 6, and 8a-8e below.

1a. Full name of party filing Statement of Position: Clark Western Dietrich Building Systems, LLC		1c. Business Phone: 502.568.0263	1e. Fax No.: 502.581.1087
1b. Address (Street and number, city, state, and ZIP code): 9050 Centre Pointe Drive, Ohio 45069		1d. Cell No.: 502.558.1606	1f. e-Mail Address: jlovett@fbtlaw.com
2. Do you agree that the NLRB has jurisdiction over the Employer in this case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (A completed commerce questionnaire (Attachment A) must be submitted by the Employer, regardless of whether jurisdiction is admitted)			
3. Do you agree that the proposed unit is appropriate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If not, answer 3a and 3b.)			
a. State the basis for your contention that the proposed unit is not appropriate. (If you contend a classification should be excluded or included briefly explain why, such as shares a community of interest or are supervisors or guards.) The petition is ambiguous. It seems to exclude employees who share a community of interest with all other employees in the proposed unit. The petition excludes employees listed below in Section 3(b).			
b. State any classifications, locations, or other employee groupings that must be added to or excluded from the proposed unit to make it an appropriate unit. Added: See Attached		Excluded: None	
4. Other than the individuals in classifications listed in 3b, list any individual(s) whose eligibility to vote you intend to contest at the pre-election hearing in this case and the basis for contesting their eligibility.			
5. Is there a bar to conducting an election in this case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, state the basis for your position.			
6. Describe all other issues you intend to raise at the pre-election hearing. The petition asked for a mail ballot election. The facts and circumstances of this election make a manual ballot election appropriate or authorized under NLRB procedures precedent.			
7. The employer must provide the following lists which must be alphabetized (overall or by department) in the format specified at http://www.nlr.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015 (a) A list containing the full names, work locations, shifts and job classification of all individuals in the proposed unit as of the payroll period immediately preceding the filing of the petition who remain employed as of the date of the filing of the petition. (Attachment B) (b) If the employer contends that the proposed unit is inappropriate the employer must provide (1) a separate list containing the full names, work locations, shifts and job classifications of all individuals that it contends must be added to the proposed unit, if any to make it an appropriate unit, (Attachment C) and (2) a list containing the full names of any individuals it contends must be excluded from the proposed unit to make it an appropriate unit. (Attachment D).			
8a. State your position with respect to the details of any election that may be conducted in this matter. Type: <input checked="" type="checkbox"/> Manual <input type="checkbox"/> Mail <input type="checkbox"/> Mixed Manual/Mail			
8b. Date(s): September 17, 2020	8c. Time(s): 2:30 - 4:00 pm and 8:30 - 9:00 pm	8d. Location(s): Employee Breakroom	
8e. Eligibility Period (e.g. special eligibility formula): Payroll period preceding election direction.	8f. Last Payroll Period Ending Date: See 8(e)	8g. Length of payroll period <input type="checkbox"/> Weekly <input checked="" type="checkbox"/> Biweekly <input type="checkbox"/> Other (specify length)	
9. Representative who will accept service of all papers for purposes of the representation proceeding			
9a. Full name and title of authorized representative Brice Smallwood - Counsel	9b. Signature of authorized representative 	9c. Date 8/13/20	
9d. Address (Street and number, city, state, and ZIP code) 301 East Fourth St., Suite 3300, Cincinnati, OH 45202		9e. e-Mail Address bsmallwood@fbtlaw.com	
9f. Business Phone No.: 513-651-6751	9g. Fax No.: 513-651-6981	9h. Cell No.: 859.391.3706	

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. Section 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation proceedings. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. 74942-43 (December 13, 2006). The NLRB will further explain these uses upon request. Failure to supply the information requested by this form may preclude you from litigating issues under 102.66(d) of the Board's Rules and Regulations and may cause the NLRB to refuse to further process a representation case or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

Statement of Position Attachment

Section 3(b): State any classifications, locations, or other employee groupings that must be added or excluded from the proposed unit to make it an appropriate unit. Added:

Schedulers, Team Leads, Team Lead Shipping, Maintenance Team Lead, Maintenance Techs, Maintenance Facilitator, and Maintenance Mechanics.

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NATIONAL LABOR RELATIONS BOARD
QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office.
If additional space is required, please add a page and identify item number.

CASE NAME
ClarkDietrichCASE NUMBER
01-RC-264014

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

ClarkWestern Dietrich Building Systems, LLC

2. TYPE OF ENTITY

☐ CORPORATION ☒ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)

3. IF A CORPORATION OR LLC

A. STATE OF INCORPORATION OR FORMATION B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES
Ohio See Number 4

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

Worthington Industries, Columbus, Ohio; Marubeni Itochu Steel America, Inc., New York, New York

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed)

Manufacture Steel Framing and Drywall Products

7A. PRINCIPAL LOCATION

9050 Centre Pointe Drive

7B. BRANCH LOCATIONS

(See Attached)

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL

1420

B. AT THE ADDRESS INVOLVED IN THIS MATTER

130

9. DURING THE MOST RECENT (Check the appropriate box): ☒ CALENDAR ☒ 12 MONTHS or ☐ FISCAL YEAR FY DATES

	YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.	<input checked="" type="checkbox"/>	
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.		
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount.		
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount.	<input checked="" type="checkbox"/>	
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.		
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.	<input checked="" type="checkbox"/>	
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount.	<input checked="" type="checkbox"/>	
H. Gross Revenues from all sales or performance of services (Check the largest amount): <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input checked="" type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you begin operations within the last 12 months? If yes, specify date:		<input checked="" type="checkbox"/>

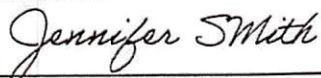
10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYEE GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☒ NO (If yes, name and address of association or group)

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
Jennifer Smith	VP Human Resources	Jennifer.smith@clarkdietrich.com	513-857-4421

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE	SIGNATURE	E-MAIL ADDRESS	DATE
Jennifer Smith		jennifer.smith@clarkdietrich.com	08/13/2020

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

Questionnaire on Commerce Attachment

Section 7(b) Brach Locations

- West Chester, Ohio 45069
- Baltimore, Maryland 21219
- Bristol, Connecticut 06010
- Dade City, Florida 33523
- Dallas, Texas 75220
- McDonough, Georgia 30253
- Miami, Florida 33166
- O'Fallon, Missouri 63368
- Pasadena, Texas 77507
- Riverside, California 92509
- Rochelle, Illinois 61068
- Sacramento, California 95776
- Vienna, Ohio 44473
- Warren, Ohio 44483

INITIAL LIST (Filed with Statement of Position)

Employer Name: Clark Dietrich

Case No. 01-RC-264014

Attachment B: Employees in Petitioned for Unit

Employee Name	Work Location	Shift	Job Classification
1. Allen Sr., Anthony	Bristol	1	Operator 4
2. Asanovski, Suzannna	Bristol	2	Operator 1
3. Asanovski, Jusuf	Bristol	2	Operator 6
4. Balowski, David	Bristol	2	Operator 1
5. Beltran, Anduhar	Bristol	1	Operator 1
6. Bermudez, Jose	Bristol	2	Operator 6
7. Bryant, Johnny	Bristol	1	Operator 6
8. Camacho, Walter	Bristol	2	Operator 6
9. Caraballo, Gil	Bristol	3	Operator 6
10. Chowdhury, Jamshedur	Bristol	2	Operator 2
11. Clark, Steven	Bristol	1	Operator 6
12. Clarke, Royland	Bristol	1	Operator 2
13. Colucci, Robert	Bristol	1	Operator 6
14. Cooper, Robert	Bristol	2	Operator 2
15. Cordon, Richard	Bristol	1	Operator 6
16. Cortes, Juan	Bristol	1	Operator 6
17. Courchaine, Michael	Bristol	1	Operator 6
18. Croce, Matthew	Bristol	1	Operator 1
19. Crofton, Xavier	Bristol	2	Operator 2
20. Cuello, Hugo	Bristol	1	Operator 1
21. Cummings, Andrew	Bristol	1	Operator 6
22. Damboise, Paul	Bristol	2	Operator 1
23. Defelippi, Michael	Bristol	1	Operator 6
24. DeJesus, Luis	Bristol	2	Operator 3
25. Delgado, Ariel	Bristol	2	Operator 2
26. Diaz, Antonio	Bristol	3	Operator 6
27. Domizio, Annette	Bristol	2	Operator 2
28. Eason, Naz-Ahire	Bristol	2	Operator 1
29. Eaton, Samuel	Bristol	1	Operator 6
30. Elwell, Joseph	Bristol	1	Operator 6
31. Espada Mendez, Alexander	Bristol	2	Operator 2
32. Famigletti, Richard	Bristol	1	Operator 4
33. French, Terrence	Bristol	1	Operator 6
34. Garlington, Tyshawn	Bristol	1	Operator 2
35. Gauthier, Jessica	Bristol	2	Operator 2
36. Gay, Daniel	Bristol	1	Operator 6

Employee Name	Work Location	Shift	Job Classification
37. Gonzalez, Alex	Bristol	1	Operator 6
38. Guzman, Julio	Bristol	1	Operator 6
39. Hajdini, Besart	Bristol	1	Operator 4
40. Harizaj, Genci	Bristol	1	Operator 6
41. Hernandez, Vernon	Bristol	2	Operator 3
42. Hoe, Rahiem	Bristol	3	Operator 6
43. Howard, Matthew	Bristol	2	Operator 5
44. Hundt, Brian	Bristol	1	Operator 5
45. Irving, Nicholas	Bristol	2	Operator 6
46. Jubrey, Patrick	Bristol	1	Operator 3
47. Kaylor, Eric	Bristol	2	Operator 2
48. Konjusha, Ismet	Bristol	2	Operator 1
49. Lanza, Tim	Bristol	2	Operator 3
50. Lizardo, Christian	Bristol	2	Operator 2
51. Lubarsky, Brendan	Bristol	2	Operator 2
52. Maldonado, Victor	Bristol	2	Operator 3
53. Maldonado, Angel	Bristol	1	Operator 6
54. Manchester, Stephen	Bristol	2	Operator 6
55. Manu, Gyasi	Bristol	1	Operator 6
56. Mercure, Ryan	Bristol	2	Operator 4
57. Mercure, Matthew	Bristol	2	Operator 6
58. Michaud, Michael	Bristol	1	Operator 1
59. Michaud, Kyle	Bristol	2	Operator 4
60. Miranda, Luis	Bristol	1	Operator 1
61. Nolan, Tyler	Bristol	3	Operator 6
62. Nordgren, David	Bristol	1	Operator 6
63. Nti, Harry	Bristol	2	Operator 2
64. Ojeda, Luiz	Bristol	2	Operator 1
65. Ortiz Torres, Oscar	Bristol	2	Operator 2
66. Papa, Kristi	Bristol	2	Operator 1
67. Perkins, Jonathan	Bristol	2	Operator 6
68. Polverari, Justin	Bristol	2	Operator 3
69. Primus, Ian	Bristol	1	Operator 6
70. Prodani, Edi	Bristol	1	Operator 6
71. Ramirez-Ventura, Pedro	Bristol	1	Operator 3
72. Reyes, Justin	Bristol	2	Operator 2
73. Rios, Manuel	Bristol	1	Operator 6
74. Rivera, Carlos	Bristol	1	Operator 6
75. Roberge, Mark	Bristol	1	Operator 6
76. Robinson, Clayton	Bristol	1	Operator 4

Employee Name	Work Location	Shift	Job Classification
77. Rosario, Christopher	Bristol	2	Operator 4
78. Roy, Kevin	Bristol	2	Operator 2
79. Rubert, Jose	Bristol	2	Operator 5
80. Rubino, Joseph	Bristol	2	Operator 3
81. Rusi, Spartak	Bristol	1	Operator 6
82. Sanders, Dennis	Bristol	3	Operator 6
83. Santiago, Jean	Bristol	1	Operator 6
84. Scott, Ronald	Bristol	2	Operator 1
85. Starks, Tylon	Bristol	2	Operator 2
86. Steenhoff Sr., Kurt	Bristol	1	Operator 6
87. Suarez, Jose	Bristol	1	Operator 2
88. Sulejmani, Istref	Bristol	1	Operator 6
89. Thai, Thang	Bristol	1	Operator 3
90. Thaxter, Todd	Bristol	1	Operator 6
91. Thompson, Kalie	Bristol	2	Operator 3
92. Thurman, Manuel	Bristol	1	Operator 2
93. Torres Burgos, Noel	Bristol	1	Operator 6
94. Velez, Jessie	Bristol	2	Operator 2
95. Velez, Alex	Bristol	1	Operator 2
96. Vita, Nicholas	Bristol	2	Operator 4
97. Voigt, Louis	Bristol	2	Operator 6
98. Wilcox, Leland	Bristol	1	Operator 4
99. Wrisley, Shawn	Bristol	1	Operator 6

INITIAL LIST (Filed with Statement of Position)

Employer Name: Clark Dietrich

Case No. 01-RC-264014

Attachment C: Employees to be Added to Petitioned-for Unit

Employee Name	Work Location	Shift	Job Classification
1. Barnard, Ryan	Bristol	2	Team Lead 1
2. Beauchemin, Louis	Bristol	1	Bristol Maint Tech 1
3. Bridge, Christopher	Bristol	2	Bristol Maint Tech 1
4. Casey, Bryan	Bristol	1	Team Lead 2
5. DePaolo, Daniel	Bristol	1	Bristol Maint Tech 2
6. Falkner, Keith	Bristol	N	Scheduler
7. Giangeruso III, William	Bristol	1	Bristol Maint Team Lead
8. McCarthy, William	Bristol	N	Scheduler
9. Mendez, Ruben	Bristol	1	Team Lead 2
10. Parsons, Scott	Bristol	2	Bristol Maint Team Lead
11. Plungis, Matthew	Bristol	1	Bristol Maint Tech 2
12. Puskas, Patricia	Bristol	2	Bristol Team Lead
13. Saysana, Wiraphond	Bristol	2	Team Lead 1
14. Steyer, James	Bristol	1	Bristol Maint Facilitator
15. Van Deusen, Barry	Bristol	2	Bristol Maint Mechanic 1
16. Vargas, Eleuterio	Bristol	3	Team Lead Shipping 1

Attachment D: Names of Employees to be Excluded from Petitioned-for Unit

Employee Name	
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14.	